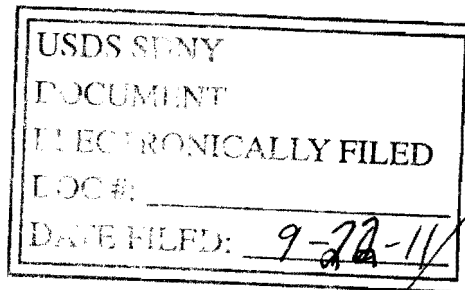


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September 15, 2011

BY FAXHonorable P. Kevin Castel
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007-1312
Fax: (212)805-7949

MEMO ENDORSED

Granted.
SO ORDERED
JSDJ
9-15-11

Bayer HealthCare LLC v. Cipla Ltd., 11 Civ. 6347 (PKC)

Dear Judge Castel:

We represent plaintiff in the above-referenced action. Pursuant to the Court's Order dated September 13, 2011, we served our complaint and motion for preliminary injunction on all defendants on September 14. We had previously provided Your Honor with courtesy copies of these papers on September 13.

Plaintiff's motion for a preliminary injunction relies on the Declaration of John Shoenfelt, a private investigator who investigated defendants' sales practices. That declaration relies on a large number of exhibits. As a result, the size of the exhibits attached to Mr. Shoenfelt's declaration exceeds the maximum file size accepted by the Court's ECF system.

We respectfully request that Your Honor enter an order permitting an oversize filing by ECF or, in the alternative, permitting a hard copy filing of the exhibits.

In addition, we respectfully request the Court's guidance as to whether the Court has filed with the Clerk its papers supporting its *ex parte* application for alternative service of process (which Your Honor granted in the Order dated September 13, 2011), or whether plaintiff should file a copy of those papers by ECF.

Respectfully yours,

Christopher J. Hamilton

cc: Parties on attached service list

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